

STACY ARNOLD,  
  
Plaintiff,  
  
v.  
  
CITY OF ST. JOSEPH,  
ST. JOSEPH PUBLIC LIBRARY,  
OFFICER REBECCA HAILEY (IN HER  
PERSONAL AND PROFESSIONAL CAPACITY)  
AND ROGER CLARY  
  
Defendants

Case 5:19-cv-06137-BP Document 86 Filed 10/19/20 Page 1 of 4

As explained in Plaintiff's suggestions, the speech in which Plaintiff was arrested for engaging in is at the heart of the expressive activity protected by the First Amendment. Further, regardless of what type of forum the Court should classify the area in question and the content the Court should apply to said category, the forum in which the speech occurred is emphatically the type of location where political speech is allowed. For these reasons, Plaintiff is entitled to judgment as a matter of law in her favor on Count I.

WHEREFORE, Plaintiff respectfully prays that this Court will enter judgment in favor of Plaintiff with regards to Count I, to include:

1. A judgment declaring that petitioning is core political speech that is protected on the exterior grounds of a public library, regardless of title, and that any restrictions must be narrowly tailored;

2. A judgment declaring that petitioning is core political speech that is protected on interior sidewalks of public buildings used for public purposes, regardless of title, and that any restrictions must be narrowly tailored;

3. A judgment declaring that the challenged elements of the Library policy on petitioning—the designated area and the “pursue patrons” language—are facially invalid and impermissibly vague;

4. A judgment declaring that Defendant City of St. Joseph (to include Defendant Officer Rebecca Hailey, in her official capacity) did not follow the First Amendment requirement of giving the benefit of the doubt to protecting instead of stifling speech;

5. A permanent injunction enjoining the Defendants, their employees and agents, and all persons acting under their direction, from arresting or otherwise prohibiting Plaintiff from

peacefully petitioning on the external grounds of the Library and the sidewalk on the Library grounds;

6. Any other relief that this Court would deem necessary and proper.

RESPECTFULLY SUBMITTED

STACY ARNOLD, Plaintiff

/s/Stacy Arnold

Stacy Arnold

500 Westover Dr. #11589

Sanford, NC 27330

803-428-7024

stacy.kaye.arnold@gmail.com

## CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the foregoing was filed electronically with the Clerk of the Court on October 19, 2020, to be served by operation of the Court's electronic filing system upon:

Christopher L. Heigele  
Steven F. Coronado  
Bay Otto Coronado PC – KCMO  
4600 Madison Avenue  
Suite 210  
Kansas City, MO 64112-3019  
[cheigele@batyotto.com](mailto:cheigele@batyotto.com)  
[scoronado@batyotto.com](mailto:scoronado@batyotto.com)  
*Attorneys for Defendants*  
*City of St. Joseph, Missouri,*  
*Officer Rebecca Hailey*

Gregory P. Goheen  
McAnany, Van Cleave & Phillips, PA-KCKS  
10 East Cambridge Circle Drive  
Ste. 300  
Kansas City, KS 66103  
[ggoheen@mvplaw.com](mailto:ggoheen@mvplaw.com)  
*Attorneys for Defendant*  
*St. Joseph Public Library*

/s/ Stacy Arnold